

The European Union's Role in Civilian Crisis Management in Georgia

SONAM CHAUDHARI

Centre for European Studies
Jawaharlal Nehru University, New Delhi (India)

ABSTRACT

The European Union projects itself as a security actor in its neighbourhood in East and South using the framework of the European Neighbourhood Policy (ENP) Civilian Crisis Management (CCM) as a major policy instrument to address the security concerns in the European neighbourhood and it is more significant than the traditional military intervention in conflict. This was manifested in the EU's role during the crisis in Georgia that served as a check of the EU's capabilities as a security provider in the European neighborhood region. The article provides an overview of the conflict in Georgia and then analyses the role of EU in crisis management in Georgia through the instruments of European Neighbourhood Policy (ENP) and Civilian Crisis Management (CCM) missions.

Key Words : European neighbourhood policy, Civilian crisis management

INTRODUCTION

Georgia in European Geopolitics:

Georgia is "perceived as possessing significance for the West in terms of its strategic location at Europe's south-eastern periphery, bordering Russia and the Baltic Sea to the north and west, NATO member Turkey to the west, the Middle East, the Islamic world and Iran to the south and east, and the Caspian Sea and Central Asia to the east" (Herzig, 1999: 114).

The need for EU's engagement in Georgia stems from its security concern to establish peace in the conflicts of Abkhazia and South Ossetia region - two autonomous regions when Georgia was a part of the Soviet Union - and also to check the Russian offensive. Before analysing the role of EU in peacekeeping in Georgia, it is thus imperative to present a brief history of the conflict in Georgia and the events that led to EU's intervention in the country.

History of Georgian Conflict

Wars in South Ossetia and Abkhazia:

After Georgia's declaration of independence on 9 April 1991, armed conflicts ensued between Georgia and Abkhazia as well as between Georgia and South Ossetia. The reason for the conflict between Georgia and South Ossetia was that South Ossetia wanted the status of "autonomous republic" which led to an increase in tensions between the Georgian government and South Ossetia. The deployment of Georgian troops into the South Ossetia capital of Tskhinvali in January 1991 led to war which resulted around 1000 casualties and displacement of 60,000 to 100,000 internally displaced persons and refugees (Jentzsch, 2009:3).

The war came to an end with Russian intervention through the Sochi Agreement of 1992 which established a conflict resolution mechanism called Joint Control Commission (JCC) and also led to the establishment of a Joint Peacekeeping Force (JPKF) numbering 1500 and comprising of Russians, North Ossetians and Georgians placed under Russian command (Merlingen and Ostrauskaite 2009: 4). A mission to Georgia was deployed by the Conference for Security and Cooperation in Europe (CSCE) in December 1992 and was entrusted

with a mandate for promoting a settlement to the conflict. In 1997, an Experts Group meeting was initiated by the OSCE mission that in 1999 came out with a framework towards a process of political settlement resulting in what was referred to as the Baden document. Negotiations ended with the election of Eduard Kokoity as South Ossetia's President (Merlingen and Ostrauskaite, 2009: 5).

Georgia-Abkhazia conflict in early 1990s was the outcome of extreme nationalistic commitment prevalent in Georgia at that time. While Tbilisi was preparing a separation from the Soviet Union and return to the 1921 constitution, Abkhazia declared its sovereignty on 25 August 1990 (ICG, 2006:5). Fighting started on 14 August 1992 when Georgian armed forces arrived in Gali region of Abkhazia on the pretext of rescuing the government hostages and securing rail lines to Russia, However, Georgian troops attacked other areas in Abkhazia which led to the armed conflict between the two (ICG, 2006:5).

An agreement in July 1993 brought into existence the United Nations Observer Mission in Georgia (UNOMIG) which had a mandated of monitoring the termination of conflict (UNSC1993). After many failed attempts at brokering a ceasefire between the two, the military conflict ended with the signing of the "Agreement on a Ceasefire and separation of forces" in Moscow on 14 May 1994 between Georgian and the Abkhazian leaders. The agreement was facilitated by Russia and had the support of UN (ICG, 2006:6). A federal solution for Abkhazia was put forth in "basic principles for the distribution of Competencies between Tbilisi and Sukhumi" also called the Boden Plan in 2001 (ICG, 2007:9) which proposed a federal status for Abkhazia while upholding Georgia's territorial integrity. The plan was rejected by Abkhazia and hence, the opportunity at some kind of solution between Georgia and Abkhazia was not utilised.

War between Russia and Georgia:

Russian involvement in Georgian conflict is complex in nature. Since the 1990's, it was actively involved in Georgian conflict. It played a dual role resenting itself as protector of Georgian territorial integrity on one hand and on the other extending support to the secessionist entities authorities. When Georgia showed its support to the Chechen rebels, Moscow became supportive of the

secessionist cause in Georgia offering them political, economic and security support. Russia heavily supported Abkhazia and South Ossetia on the political level.

In 2003, a non-violent revolution also referred to as the Rose Revolution, displaced President Eduard Shevardnadze and also brought about a change in Georgian stance towards Abkhazia and South Ossetia. In 2005¹, a New Peace Process of South Ossetia was introduced by President Saakashvili. Although this peace process was rejected by the South Ossetia president Eduard Kokoiti, it had an international recognition by the Ministerial Council of the OSCE in December 2005. In response to Georgian peace proposal, Kokoiti also presented peace proposal by South Ossetia that he considered big benchmarks, but it not welcomed by Georgians as it assumed South Ossetia independence (Radio Free Europe, 2007).

In July 2008, Russia conducted a military exercise code-named Caucasus 2008 in proximity to the Georgian border. The military exercise which involved more than 8000 troops witnessed Russian forces practising counter-attack by air, land, and sea. This was protested by Georgian foreign ministry which allayed is concern over a possible Russian aggression. In the response by Georgia, a military drill operation code-named Immediate Response was conducted which involved about U.S. troops, Georgian troops, and also a representation of forces from Armenia, Azerbaijan and Ukraine .The conflict remained frozen until 2008.

Georgia also initiated a process to formally end Russian peacekeeping activity in Abkhazia. The declaration of independence by Kosovo on February 17, 2008, and then Russia's ending the sanctions on Abkhazia twenty days later marked a shift in the Russian policy towards Georgia. Russia now signalled a policy of military confrontation towards Georgia.

On 7 August 2008, Russian troops began their advance to South Ossetia. Georgia decided on a pre-emptive action to check this Russia advance, and this, in turn, allowed Russia to claim that Georgian aggression led to the war. On 9th August, Russia Air Force, paratroopers and mechanised force launched a massive attack deep into Georgia territories. Russian military offensive continued to hit Georgia hard. On August 10, the same day when Western diplomatic effort for a ceasefire. Russia launched a military offensive on a

1. Saakashvili presented a revised version of his original peace proposal at a conference in Batumi in July 2005 on conflict resolution.

second front in Abkhazia and pushed Georgian forces out of Tskhinvali. On August 12, Dmitry Medvedev ordered the termination of 'peace enforcement' operation in Georgia, after five days of conflict. The five-day War thus ended with the defeat of Georgia (Sputnik, 2008).

The EU Intervention in the Georgia- Russia War:

A week later, on 15 August 2008, the EU mediated to solve the conflict then Georgia and Russia signed a preliminary agreement for a new ceasefire. The agreement came out with a commitment for Georgia not to attack the two secessionist republics. However, after the initial withdrawal of its troops, the Russian army continued with the occupation of two buffer zones on the border between Georgia, Abkhazia and Ossetia on the pretext of preventing future military offensives.

The EU sent its 200 military observers to mediate in the conflict and on 8 October, the Russian troops pulled out from the buffer zone on the border of South Ossetia (Sputnik, 2008). At the end of this war, Moscow recognised South Ossetia and Abkhazia. It was a diplomatic victory for EU and provided a positive momentum to the EU-Georgia relations. In reality, this war can be considered as a war of propaganda used by the Russian media to portray Georgian President Saakashvili as guilty of genocide against Ossetia population. On the other hand, western media denied Georgian responsibility and called that the war was the result of big power (Russia) aggression against the small and democratic country (Georgia).

The European Union's Engagement in Georgia through ENP:

Georgia became a testing case for the EU's capacity to take responsibility for the security of larger Union in what is often referred to as the wider European neighbourhood where the EU aims to maintain stability in order to secure its border.

The European Union's Engagement in Georgia: Pre European Neighbourhood Policy:

The EU was involved in Georgia from 1990's to solve the conflict between two separatist states of South

Ossetia and Abkhazia and signed a Partnership and Cooperation Agreement (PCA) in 1996, which came into force in 1999 and included a mechanism for facilitating political dialogue along with laying thrust on economic cooperation, culture and technology. In addition to its policies towards Georgia, the EU launched Technical Assistance for the Commonwealth of Independent States² (TACIS) which focused on support for establishing rule of law, promoting good governance and democracy respect for human rights, alleviation of poverty prevention of conflict and rehabilitation (Tocci 2007). The European Commission also provided finance for rehabilitation assistance since 1997 to tackle the conflicts in Georgia. Along with these instruments, Georgia was also the part of the EU regional programme named Transport Corridor Europe-Caucasus- Asia³ (TRACECA) and in order to support cooperation in the oil and gas infrastructure system, the EU launched Oil and Gas Transport to Europe (INOGATE) (Lynch, 2006).

The European Union's Engagement in Georgia: Post European Neighbourhood Policy:

As Georgia became the part of the ENP, EU became more involved in Georgian crisis. Popescu remarks that "In some respects, the 1990's style of the EU policy towards Georgia ended in 2003" (Popescu, 2007: 4). The EU focussed on conflict resolution as imperative for achieving political stability and economic development in the region. The EU launched the Rule of law mission for Georgia named EUJUST THEMIS under the ESDP umbrella on 16 July 2004 for a period of one year with the aim to support Georgian authorities in dealing with the criminal justice issues and assisting the reform process (Council of the European Union, 2004).

After the failure of the EU to deploy a full border mission, the EUSR Border Support Team (BST) was established on 28 July 2005 (Council of the European Union 2005). The extended mandate of the EUSR Border Support Team explains the purpose of the mission to

provide the European Union with reporting and a continued assessment of the border situation and to facilitate confidence-building between Georgia and the Russian

2. TACIS, which was a financial aid program directed to 13 States. Georgia received 370€ million, of which 27 had been used to for the rehabilitation of the conflict zones.

3. The TRACECA, the most important one, was also aimed to the development of a deeper regional cooperation, so not only circumscribed at the economic sector, but was also important for the political one.

Federation, thereby ensuring efficient cooperation and liaison with all relevant actors (Council of the European Union 2006:Art.3(g)).

In the Joint Action Plan of 2006 the Priority Area Sixth under the heading 'Promote Peaceful Resolution of internal Conflicts' mentioned the conflict resolution provisions, while Tbilisi wanted that it should be given the first priority under the Action Plan. The EU mentioned that it was willing to "contribute to the conflicts settlement in Abkhazia, Georgia and Tskhinvali Region/South Ossetia, Georgia, based on respect of the sovereignty and territorial integrity of Georgia within its internationally recognized borders" (European Commission, 2006: 10).

The ENP Action Plan also mentioned that the EU needs to, "contribute actively, and in any relevant forum, to accelerating the process of demilitarization and of conflict resolution of conflict resolution on the basis of the Peace Plan supported by the OSCE Ministerial Council in Ljubljana in December 2005⁴" and "to increase the effectiveness of the negotiating mechanisms. The work of the Joint Control Commission should be measured by the rapid implementation of all outstanding agreements previously reached and in particular by the start of demilitarization⁵" (European Commission, 2006: 10).

After the end of Russia-Georgia war, EU drafted a ceasefire that called for ending the conflict, recognising Georgia's territorial integrity and re-establishment status quo (Pipia, 2014:343). A civilian monitoring mission of 340 observers was set up and EUR 500 million was marked for post-conflict assistance. The EU engagement resulted in the of "Six-point Cease-fire Agreement between Russia and Georgia". On 15 November 2008, EUMM in Georgia was established to monitor the "Six-point Agreement". The EUMM like the EUJUST THEMIS was a Civilian Crisis Management mission launched by the EU. A detailed analysis of the EU Civilian Crisis Mission in Georgia given below.

Analysing the Impact of the EU's Civilian Crisis Management in Georgia:

Conceptualising Civilian Crisis Management:

The EU has evolved a unique institution mechanism in the field of the CCM capabilities. The role of the EU in the crisis management is not of recent origins. Crisis

management also known as the name of Petersberg tasks, were first introduced in WEU in 1992. The Petersberg tasks included full range of conflict prevention and crisis management tasks such as "humanitarian tasks", 'civil protection', 'peacekeeping' and 'peace-enforcement'" (Western European Union, 1992:6). The CCM as a major foreign policy tool of EU intervention in crisis entailed the identification of the nature of tasks ranging from peace enforcement operations to humanitarian and rescue operations. The Colonge European Council (1999) and Helsinki European Council (1999) gradually developed the idea to establish a non-military crisis management mechanism. But significant developments took place in the field of the EU's CCM in June 2000, at the Feira European Council, where priorities of the EU's CCM were stated in the following fields: 1) Police- In the field of policing, the EU was to be capable of carrying out operations ranging from advisory, assistance, and trainings tasks to that of replacing of local police forces; 2) Rule of law- This entailed the strengthening of judiciary and other legal structures through training and reform.; 3) Civilian Administration- This entailed the building up of an efficient civil administration mechanism in states where the CCM was deployed; 4) Civil Protection. The Göteborg European Council in June 2001 highlighted the importance of an establishing a training mechanism for experts of CCM.

In December 2003, the European Council adopted the ESS 'A Secure Europe in a Better World' (European Council 2003). The ESS affirmed that "civilian crisis management helps restore civil government" (European Council 2003). The strategy also called for the use of all civilian instruments at EU's disposal both in crisis management and post-crisis situations (Post, 173: 2014).

The EU has launched its CCM missions all over the world to tackle the security threats which can potentially escalate into violent conflict. As mentioned earlier, EU launched two CCM missions in Georgia, namely The Rule of law mission (EUJUST Themis) for a short period of one year, and an EU Monitoring Mission EUMM (2008) which continues till date. The Rule of law mission, the EUJUST Themis was launched after the 'Rose Revolution' to reform the justice sector, and the second monitoring mission in EUMM was launched as a strategy of EU's intervention after the August 2008 war between

4. Sixth Priority Area (iii).

5. Sixth Priority Area (IV).

Russia and Georgia.

The EUJUST THEMIS: The EU Rule of Law Mission in Georgia:

In January 2004 President Mikhail Saakashvili assumed power and EU decided to support the new government as part of 'early action' to establish good governance and stabilize the condition of the country (European Commission 2004 : 11) and also on Georgian president's request to the EU for asking "for rapid support in the field of Rule of Law"⁶. Hence, on 15 July 2004 the European Council launched the EUJUST Themis, a Rule of Law Mission with a mandate for twelve months (Council of the EU 2004) to aid the process of the transition in Georgia and to "assist the new government in its efforts to bring local standards with regard to Rule of Law closer to international and EU standards"(Council of the European Union 2004) and " embed stability in the region (Council of the European Union 2004).

The EUJUST THEMIS was the first ever ESDP mission in the Post-Soviet Space. Although the mission was officially not stated as a peacekeeping mission, it entailed a set of mechanisms for establishing the necessary conditions for the "peaceful reintegration of the breakaway Soviet republics" (Merlingen and Ostrauskaite, 2009: 286).

Through the launch of EUJUST THEMIS, the EU conveyed a clear political message to Georgia that it was committed to establishing democratic polity based on a rule of the law in the country. The mission also provided EU with an opportunity to assess its civilian management capabilities in its neighbourhood. EUJUST THEMIS was also driven by the EU's desire to promote peace, through interdependence and adherence to common standard establishing a rule of law and stressing on security (Study Group on Europe's Security Capabilities: 12).

The rule of law missions entails two inter-related objectives: strengthening the rule of law mission according to internationally accepted standards by providing the positioned personnel education, give them the training of monitoring and advice; and reforming the local judiciary (Council of the European Union 2003). As EUJUST Themis had these two characteristics, it can be regarded as the first rule of law mission within the CSDP to test the Civilian Crisis Management capabilities.

The EUJUST THEMIS was a manifestation of the

EU's soft power through a focus on reform of the justice system, police structures and civilian administration, EUJUST THEMIS led to an enhancement of the EU's standing as a security provider in Georgia. The EU enjoyed a "very favourable position pursuing a holistic approach" when compared with the other international actors who were present in the region (Sierra, 2009:485). This mission not only showed the EU's will for the co-operation and support to Georgia but also could be seen within the wider perspective of the EU's interest to achieve stability in its bordering regions.

The rule of law mission was successful in the planning and implementation of the criminal justice strategy. These parts of the implementation of the strategy were also included in Georgia action plan of the ENP. According to the EUJUST Themis Mission Members, it was significant on the following three counts: First, a reform strategy was drafted with detailed and strategic guidelines as stated in the Operational Plan (OPLAN) Second, the Mission sought to increase cooperation with the various stakeholders in the judiciary to establish an effective and reformed criminal justice system in the country; Third a reform of Georgian criminal system was considered to be a major step in bringing Georgia closer to the European norms as established in the concept Rule of Law.

The success of EUJUST THEMIS was however limited on account of various factors. First, the mission did not have the adequate support from Georgia government. It was only after the election of President Saakashvili that the mission got a formal approval in Georgia. Second, there was a lack of coordination between the EU Member States and no actual consensus was reached regarding EU's competencies. The mission suffered from the "institutional turf wars" between the European Commission and the Council, as both sought to protect and even extend their areas of competence (Juncos, 2016:26).

The EUMM Georgia: The European Union Monitoring Mission in Georgia:

The EUMM to Georgia was deployed as a result of the EU acquiring a unique conflict mediation role in the Southern Caucasus after the Russian-Georgian war of August 2008. The mission was continued as "a monitoring mission in nature" and centred on security assurance in

6. This appeal was followed by a formal invitation by Georgian Prime Minister Zurab Zhvania two months later.

the crisis area. The Joint Action under which the EUMM Georgia was established provided a mandate of stabilisation, normalisation, confidence-building, and information provisions (Council of the European Union 2008b: art 1 and 3). The EUMM provided 'civilian monitoring of parties' actions process centred on complying with the Six Point Plan as well as the normalisation process of civil governance, focusing on rule of law (Council of the EU 2008 b : art; 2) The Six Point Plan was as follows: 1) There would be no use of force; 2) There would be permanent cessation of hostilities; 3) Free access to humanitarian aid would be provided; 4) Georgia military forces would have to withdraw to their bases; 5) Russian military forces would have to move back to the lines they held before the start of the conflict; 6) International talks on building security and stability arrangements in Abkhazia and South Ossetia would take place (Council of the European Union 2008 a).

Within only two weeks of the adoption of the Joint Action, the EU was able to deploy the EUMM on the ground, enabling monitors to begin patrols on 1 October 2008. Originally authorised for 12 months, the mandate has since been extended six times. On 12 December 2016, the European Council extended it until 14 December 2018 (European External Action Service 2017 a: 1).

Three agreements between the EUMM and the Georgian government have been instrumental in the implementation of the mandate. First, the Provisional Arrangement for the Exchange of Information signed between the EUMM and the Georgian Ministry of Defence in January 2009 and amended in 2010 restricts the deployment of Georgian forces in the regions near the Administrative Boundary lines. Second, Technical Arrangements signed between the EUMM and the Georgian Ministry of Internal Affairs in October 2008 restricts the use of equipment and the activities of the Georgian police forces near the Administrative Boundary line. The Technical Agreement signed between the EUMM and the State Security Services of Georgia (SSSG) in November 2015 gives the EUMM power to monitor the functions of SSSG personnel. The EUMM continues to function according to the Six-Point Agreement. However, point five of the agreement has not yet been implemented as of June 2017 as Russia continues to have its military personnel in and equipment in both South Ossetia and Abkhazia (European External Action Service 2017 b).

EUMM is perceived by the EU Member States and

others as an important contributor to safeguard security and stability on the ground (External European Action Service 2017 a: 2). Its presence shows the EU's visibility in the monitoring the conflict. It can't be defence per say when it comes to the harder decision and that EU has its own importance and strength to respond the conflict.

Conclusion:

Georgia holds importance in the international politics because of its geostrategic location. The relationship between the EU and Georgia dates back to the 1990's but it gained momentum after Georgia became the member of the ENP in 2004. Through the CCM missions in Georgia, EU has been effective towards finding a solution to the crisis through offering mediation, humanitarian assistance, a civilian monitoring mission, and financial aid (Council of the European Union 2008 c). The EU has followed a comprehensive approach to security entailing an effective use of civilian tools at its disposal for crisis management.

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